

30 APR 1973

MEMORANDUM FOR: Legislative Counsel

ATTENTION :



STATINTL

SUBJECT : H. R. 5433 and Related Bills  
(To amend Title 5, United States Code, to provide that individuals be apprised of records concerning them which are maintained by Government agencies)

1. If enacted, this proposed legislation would impose a hugh administrative burden on the Agency. It would also create serious security problems.


2. Under the provisions of the bill, an individual would be notified if a Government agency compiles, maintains or transfers a retrievable record concerning him. In addition to notification, the individual would be permitted to inspect such records unless they are specifically required by Executive Order to be kept secret; they are investigative files compiled for law enforcement purposes or they are intraagency or interagency memorandums or letters not available by law. Thus, in many cases, individuals would be entitled to inspect their own medical, personnel and security files.

3. Since the individual is not entitled to be advised of the names of the persons furnishing information concerning him, a substantial editing job would be required for every investigative and possibly other type reports made available under this legislation. Even with editing, the individual could, in many cases, make an accurate guess as to the identity of the informants. This, of course, would greatly harm our personnel and industrial security programs.

4. Another facet of the bill is the prohibition against releasing information without the permission of the individual. This could greatly reduce or even eliminate the national agency name check program and thus cause duplicative Government investigative efforts.

5. For more detailed analysis of the destructive effect of this proposed legislation, we refer to the letter of the General Counsel of the Department of Defense which is printed on pages 12, 13 and 14 in the June 22 and 27, 1972, Hearings before a Subcommittee of the Committee on Government Operations, House of Representatives on H. R. 9527 and Related Bills.

STATINTL



Howard J. Osborn  
Director of Security

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STATINTL



Howard J. Osborn  
Director of Security

ROUTING AND RECORD SHEET

06 73-0526

SUBJECT: (Optional)

H. R. 5433 and Related Bills

FROM:

Howard J. Osborn  
Director of Security  
4 E 60

EXTENSION

NO.

DATE

25X1A  
25X1A

TO: (Officer designation, room number, and building)

DATE

OFFICER'S  
INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

RECEIVED

FORWARDED

1. Legislative Counsel  
Attn: [REDACTED]

2. [REDACTED]  
7 D 35

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*AVAILABLE*

SEC. CL.		ORIGIN		CONTROL NO.	
DATE OF DOC		DATE REC'D		DATE OUT	
30 Apr		31 May		12	
SUSPENSE DATE		CROSS REFERENCE OR POINT OF FILING			
TO FROM SUBJ.				ROUTING	
<p>OLC/PLC</p> <p>H. R. 5433 and Related Bills (to amend Title 5, USC, to provide that indiv. be apprised of records concerning them which are maintained by Govern. agencies)</p>				DATE SENT	
COURIER NO.		ANSWERED		NO REPLY	
				5	